

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OKLAHOMA FIREFIGHTERS PENSION AND
RETIREMENT SYSTEM,

Plaintiff,

v.

ELON R. MUSK, ELON MUSK REVOCABLE
TRUST DATED JULY 22, 2003, EXCESSION,
LLC, AND JARED BIRCHALL,

Defendants.

No. 1:22-cv-03026-ALC-GWG

**JOINT STIPULATION AND
ORDER REGARDING REVISED
SCHEDULE**

**JOINT STIPULATION AND ORDER
REGARDING REVISED SCHEDULE**

Lead Plaintiff Oklahoma Firefighters Pension and Retirement System (“Lead Plaintiff”) and Defendants Elon R. Musk, the Elon Musk Revocable Trust dated July 22, 2003, Excession LLC, and Jared Birchall (“Defendants” and, together with Lead Plaintiff, the “Parties”), by and through their undersigned counsel of record, hereby stipulate and agree as follows:

WHEREAS, on June 5, 2024, Magistrate Judge Gorenstein entered a scheduling order, which had been agreed by the Parties, that adjourned the previously entered deadlines “until the Court rules on Defendants’ motion to dismiss” and ordered the Parties to “submit a proposed revised schedule within 7 calendar days of the Court’s ruling on Defendants’ motion to dismiss” (ECF No. 103);

WHEREAS, on March 28, 2025, this Court entered its decision granting in part and denying in part Defendants’ motion to dismiss (ECF No. 118); and

WHEREAS, the Parties have conferred and agreed on a proposed schedule.

THEREFORE, as hereby stipulated and agreed by and between the undersigned counsel for the Parties, the Parties respectfully request that this Court enter the following schedule:

Event	Deadline
Defendants to Answer Lead Plaintiff's First Amended Complaint	May 7, 2025
Lead Plaintiff's Letter to Judge Carter seeking permission to file class certification motion	May 30, 2025
Fact Discovery Cut-off	September 5, 2025
Opening Expert Reports	October 3, 2025
Opposing Expert Reports	November 3, 2025
Expert Discovery Cut-off	November 21, 2025
Letters to Judge Carter seeking permission to file summary judgment and <i>Daubert</i> motions	December 12, 2025
Joint Pre-Trial Order as set forth in section 4.A of Judge Carter's Individual Practices	30 days after the Court's decision on any summary judgment motions.
Pre-trial filings required by section 4.B of Judge Carter's Individual Practices	21 days before trial.

All electronic signatures (“/s/”) are signed with consent of counsel pursuant to Rule 8.5 of this Court's Electronic Case Filing Rules and Instructions updated as of July 24, 2023.

IT IS SO STIPULATED.

Dated: April 4, 2025

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

/s/ Katherine M. Sinderson

Salvatore J. Graziano
Katherine M. Sinderson
Jeremy P. Robinson
1251 Avenue of the Americas
New York, NY 10020
Telephone: (212) 554-1400
Facsimile: (212) 554-1444
salvatore@blbglaw.com
katie@blbglaw.com
jeremy@blbglaw.com

*Counsel for Lead Plaintiff Oklahoma
Firefighters Pension and Retirement System*

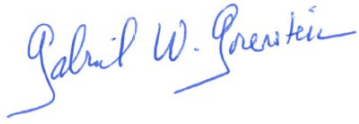
**QUINN EMANUEL URQUHART
& SULLIVAN, LLP**

/s/ Jesse Bernstein

Alex Spiro
Jesse Bernstein
Jacob Waldman
51 Madison Avenue, 22nd Fl.
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
alexspiro@quinnemanuel.com
jessebernstein@quinnemanuel.com
jacobwaldman@quinnemanuel.com

*Counsel for Defendants Elon R. Musk, the
Elon Musk Revocable Trust dated July 22,
2003, Excession LLC, and Jared Birchall*

Dated: April 4, 2025

A handwritten signature in blue ink, reading "Gabriel W. Gorenstein". The signature is written in a cursive style with a long horizontal stroke at the end.

HON. GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE